

## REMARKS

Claims 1-20 were presented for examination. The Office Action mailed October 31, 2008 rejects claims 1-20. Applicants herein amend claims 1 and 16. Claims 1-20 remain pending in the application.

### **Rejection of Claims 16-20 under 35 U.S.C. §101**

Claims 16 - 20 were rejected under 35 U.S.C. 101 because paragraph [0007] of the Specification recited a computer data signal embodied in a carrier wave. Paragraph [0007] has been deleted, thus rendering this rejection moot.

### **Rejection of Claims 1- 7, 9, 11 - 20, 26 and 27 under 35 U.S.C. §103(a)**

The Office Action rejected claims 1-7, 9, 11-20, 26 and 27 under 35 U.S.C. §103(a) as being unpatentable over US Patent Publication No. 2003/0172113 A1 to Cameron et al. (hereinafter “Cameron”) in view of US Patent Publication No. 2004/0230598 to Robertson et al. (hereinafter “Robertson”) and US Patent No. 7,092,977 to Leung et al. (hereinafter “Leung”). However, Claims 26 and 27 are not pending. Applicants respectfully traverse this rejection to the extent it applies to Claims 1 – 7, 9, and 11 – 20 because the cited references, whether taken alone or in combination, do not teach or suggest every claimed element and limitation of Applicants’ invention.

Applicants’ invention, as now set forth in representative claim 1, recites “calculating, for a plurality of times and a plurality of clients, a document score for each document in a plurality of documents in the server database, each document score designating an importance of a respective one of the documents to a respective one of the clients at one of the times; initiating a synchronization task at one of the clients, the synchronization task specifying a threshold value that indicates a document score value for a document to be synchronized, and identifying the server and the server database for synchronization; and transmitting one of the documents in the server database to the client based on a comparison of the threshold value and a respective document score for a latest time.”

Thus, the Applicants have clarified that as part of the claimed synchronization method, a client specifies a threshold value as part of the initiation of a synchronization task. The threshold value is specifically claimed as a value that indicates a document score value for a document to be synchronized. The server compares the threshold value to a score it has calculated for a document. The server then transmits a document back to the client based on a comparison of the threshold value and the score.

As stated in the Office Action, “Cameron and Robertson do not explicitly teach the threshold value. The Office Action says “Leung teaches an indication of a threshold size of a data file before the file can be store on a storage device”. However, Applicants have clarified in amended claim 1 that the threshold value is specifically related to a document score for a document to be synchronized. Leung clearly does not teach this. Since Leung fails to teach or suggest the claimed “threshold value that indicates a document score value for a document to be synchronized”, and Cameron and Robertson also fail to teach or suggest such a threshold value, no combination of Leung with Cameron and Robertson would lead one skilled in the art to invent such a threshold value specified during the initiation of a synchronization task at a client and then used during a step of transmitting a document in a server database to a client based on a comparison of the threshold value and a respective document score.

For the reasons above, Applicants submit that Cameron, Robertson and Leung, either alone or in combination, do not teach or suggest every element and limitation of independent claim 1 as now set forth. Thus Applicants respectfully request that the rejection of claim 1 be withdrawn. Independent claim 16 recites language similar to that of claim 1, and therefore is allowable for at least the reasons provided with respect to claim 1. Dependent claims 2-7, 9, 11-15, and 17-20 depend directly or indirectly from one of the patentable independent claims, and incorporate all of the limitations of the respective independent claim. Thus these dependent claims are patentably distinguishable over the cited references for at least those reasons provided in connection with the independent claims and Applicants respectfully request withdrawal of the rejection of these dependent claims.

**Rejection of Claims 8 and 10 under 35 U.S.C. §103(a)**

The Office Action rejects claims 8 and 10 under 35 U.S.C. §103(a) as being unpatentable over Cameron, Robertson and Leung, and further in view of US Patent Publication No. 2005/0071741 to Acharya et al. (hereinafter "Acharya"). The Office Action uses the disclosure of Acharya for the purpose of showing the additional limitations recited in these dependent claims. Regardless of whether or not Acharya shows such limitations, Applicants submit that Acharya does not teach or suggest the limitations of claim 1 described above as missing from the other cited references. Thus Applicants submit that dependent claims 8 and 10 are allowable over the cited references for at least those reasons set forth above with respect to claim 1 and Applicants respectfully request withdrawal of the rejection of these dependent claims.

**CONCLUSION**

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims that have not been expressed.

In view of the remarks made herein, Applicants submit that the application is in condition for allowance and request early favorable action by the Examiner.

If the Examiner believes that a telephone conversation with the Applicants' representative would expedite allowance of this application, the Examiner is cordially invited to call the undersigned at (508) 303-2003, or at mobile number (617) 901-6786.

Respectfully submitted,

Date: April 28, 2009  
Reg. No. 37,946

Tel. No.: (508) 303-2003  
Fax No.: (508) 303-0005

/Mary Steubing/  
Mary Steubing  
Attorney for Applicants  
Guerin & Rodriguez, LLP  
5 Mount Royal Avenue  
Marlborough, MA 01752